

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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CLERK OF DISTRICT COURT
U.S. DISTRICT COURT
SAN JUAN, P.R.

INDICTMENT

UNITED STATES OF AMERICA,
Plaintiff,

v.

**JOSE ENRIQUE DE VARONA-
DRURY,**
Defendant.

CRIMINAL NO. 15- 628 (ADC)
VIOLATIONS: Title 18, *United States Code*,
Sections 2251(a) and (e); Section 2252A(a)(1);
and Sections 2252A(a)(5)(B) and (b)(2).
FORFEITURE: Title 18, *United States Code*,
Section 2253.
(3 Counts and 1 Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNT 1

Production of Child Pornography
(Title 18, *United States Code*, Sections 2251(a) and (e))

From on or about January 1, 2015, through on or about October 8, 2015, the exact dates of which are unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

JOSE ENRIQUE DE VARONA-DRURY,

the defendant herein, did knowingly employ, use, persuade, induce, entice and coerce a 14 year-old female minor, identified as "Minor Female Victim #1," or "MFV #1" to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct using materials that have been mailed, shipped and transported in and affecting interstate or foreign commerce by any means, including by computer, in any commonwealth, territory or possession of the United States, that is, on or about the dates mentioned above, the defendant, **JOSE ENRIQUE**

DE VARONA-DRURY, approximately ten (10) times, did knowingly and surreptitiously film the genital area of MFV #1 using his Apple I-Phone which was not manufactured in Puerto Rico. All in violation of Title 18, *United States Code*, Section 2251(a).

COUNT TWO
Transportation of Child Pornography
(Title 18, *United States Code*, Sections 2252A(a)(1))

From on or about January 1, 2015, through on or about October 8, 2015, the exact dates of which are unknown, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court,

JOSE ENRIQUE DE VARONA-DRURY,

the defendant herein, did knowingly transport any child pornography, as defined in Title 18 *United States Code*, Section 2256(8)(A), such as any visual depiction of sexually explicit conduct, where the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct using any means or facility of interstate commerce and/or in or affecting interstate or foreign commerce by any means, including computer; that is, on or about the dates mentioned above, **JOSE ENRIQUE DE VARONA-DRURY**, did knowingly transport from his Apple I-Phone to his Apple laptop computer with access to the internet, any visual depiction, including, but not limited to approximately ten (10) child pornography videos of MFV #1 using any means or facility of interstate commerce and/or in or affecting interstate or foreign commerce by any means, including computer, and the production of such visual depiction involved the use of minors engaging in sexually explicit conduct and the visual depiction is of such conduct. All in violation of Title 18, *United States Code*, Sections 2252A(a)(1).

COUNT 3
Possession of Child Pornography
(Title 18, *United States Code*, Sections 2252A(a)(5)(B) and (b)(2))

On or about October 6, 2015, in the District of Puerto Rico, and elsewhere within the jurisdiction of this Court:

JOSE ENRIQUE DE VARONA-DRURY,

the defendant herein, did knowingly possess one or more images and videos, which contain images of child pornography as defined by Title 18, *United States Code*, Section 2256(8)(A), that involved prepubescent minors, and which were produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, including by computer; that is on or about the date mentioned above, **JOSE ENRIQUE DE VARONA-DRURY**, did knowingly possess on his Apple laptop computer which was not manufactured in Puerto Rico, images depicting actual minors, including MFV#1 and prepubescent minors, engaging in sexually explicit conduct, as defined in Title 18, *United States Code*, Section 2256(8)(A). All in violation of Title 18, *United States Code*, Sections 2252A(a)(5)(B) and (b)(2).

FORFEITURE ALLEGATION
(Title 18, *United States Code*, Section 2253)

For the purpose of alleging forfeiture, and pursuant to Title 18, *United States Code*, Section 2253, the allegations of Counts **ONE** through **THREE** of this Indictment are re-alleged as if fully set forth herein. If convicted of any the offenses set forth above,

JOSE ENRIQUE DE VARONA-DRURY,

the defendant herein, shall forfeit to the United States any and all materials or property used or intended to be used in the production, transportation or possession of child pornography. Such property includes, but is not limited to the items listed in the chart below:

Description	Qty
Apple laptop computer	1
Apple I-Phone	1

TR|

FOREPERSON

October 14, 2015

ROSA EMILIA RODRIGUEZ-VELEZ

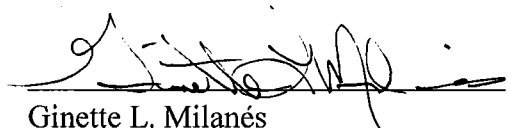
United States Attorney

 José A. Ruiz

Assistant United States Attorney
Chief, Criminal Division

 Jennifer Hernández

Assistant United States Attorney
Chief, Violent Crimes Unit

 Ginette L. Milanés

Assistant United States Attorney